

Memorandum

TO: District of Columbia Zoning Commission

FROM: Karen Thomas, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: November 3, 2015

SUBJECT: FMBZA 19134 –Application of the Embassy of Zambia, pursuant to 11 DCMR § 1002 and §206 of the Foreign Missions Act

I. RECOMMENDATION

The Office of Planning acknowledges the need for the temporary accommodations for the Embassy of Zambia's operations, and recommends that the BZA **not disapprove** the request for the Embassy's temporary location at 2200 R Street NW in the D/R-3 District for one year to the date of the approved Order.

II. LOCATION AND SITE DESCRIPTION

Address	2200 R Street NW
Legal Description	Square 2512, Lot 0808
Ward	2, ANC 2D
Lot Characteristics	The lot is rectangular-shaped and is located on the southeast corner of the intersection of R Street NW to the north and 22 nd Street to the east.
Zoning	The subject property is in the Diplomatic Overlay of the R-3 District.
Existing Development	The property is developed with a 3-story brick and stucco building and is a contributing structure within the Sheridan-Kalorama Historic District.
Adjacent Properties	West – Republic of Niger. South (at rear on 22 nd Street) – residential condominiums. East: Across 22 nd Street: Embassy of the Government of the People's Republic of Bulgaria. North: Across R Street: Embassy of the Government of Pakistan.

Surrounding Neighborhood Character	The neighborhood is comprised of diplomatic missions, single family homes and small apartment buildings. The property is a half block north of Massachusetts Avenue’s Embassy Row and east of Sheridan Circle.
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III. APPLICATION-IN-BRIEF

The Embassy of Zambia proposes temporary establishment of its operations at 2200 R Street NW, as its permanent location at 2419 Massachusetts Avenue undergo renovations for one year until September 2016.

IV. REGULATORY REQUIREMENTS

Zoning

The property falls within the D/R-3 District. Section § 1000.1 of the current Zoning Regulations established the Diplomatic Overlay to implement the Foreign Missions Act, approved August 24, 1982. Sections 350.1 and 1001.1 permit the use in the D Overlay District subject to Foreign Missions Board of Zoning Adjustment (FMBZA) disapproval. No expansion of the embassy/chancery is proposed.

As part of its review, the Board is required to evaluate the application within the six factors set forth in the Foreign Missions Act (FMA).

V. OFFICE OF PLANNING ANALYSIS

Compliance with § 1001

An existing chancery use in a D Overlay District is subject to the following criteria:

“1001.1 The Board shall consider the international obligation of the United States to facilitate the provision of adequate and secure facilities for foreign missions in the nation’s capital.

In a letter to the Director of the Office of Zoning dated September 29, 2015, (Exhibit 31) the U.S Department of State’s Foreign Mission Office states “...that favorable BZA action would ... fulfill the international obligation of the United States to facilitate the provision of adequate and secure premises for the Government of Zambia in Washington,..” based on the scheduled renovation project of its current chancery at 2419 Massachusetts Avenue, N.W.

This criterion has been addressed.

1001.2 The Board shall consider historic preservation, as determined by the Board in carrying out this section.

The property is within the Kalorama Historic District. Staff of the Historic Preservation Office expressed no concerns regarding the proposed temporary location, as no change is proposed to the property.

1001.3 To ensure compatibility with historic landmarks and historic districts, substantial compliance with District and federal regulations governing historic preservation shall be required with respect to new construction and to demolition of or alteration to historic landmarks.

No alteration to the existing structure at 2200 R Street, N.W. is proposed to accommodate the temporary relocation of the chancery use.

1001.4 The Board shall consider the adequacy of off-street or other parking, and the extent to which the area will be served by public transportation to reduce parking requirements, subject to any special security requirements that may be determined by the Secretary of State, after consultation with federal agencies authorized to perform protective services.

No alteration would be made to affect existing on-site parking. The Department of State's Office of Foreign Mission also stated that "there exist no special security requirements relating to parking in this case."

1001.3 The Board shall consider the extent to which the area is capable of being adequately protected, as determined by the Secretary of State, after consultation with federal agencies authorized to perform protective services.

The referenced letter from the Deputy Assistant Secretary states "...the subject site and area will be capable of being adequately protected with the addition of the requested fence."

This criterion has been addressed.

1001.5 The Board shall consider the municipal interest, as determined by the Mayor.

The Office of Planning, on behalf of the Mayor, finds the temporary relocation of the embassy's chancery operations would not be contrary to the Zoning Regulations, which permit chanceries within the Diplomatic Overlay (§ 1000.1).

The applicant submitted that its mission, currently located at 2419 Massachusetts Avenue consists of 12 diplomats and 14 administrative staff members.

Parking for the chancery use within the D Overlay is required¹. At this time OP has no information regarding the gross square feet that would be devoted to the chancery use, or about the existing number of on-site parking spaces that would be devoted to the proposed chancery use. The site is located west of the Dupont Circle Metrorail Station at 20th and Q Street NW. In addition, there are numerous bus lines traveling in both directions along Massachusetts Avenue. OP understands that parking for the temporary location would be accommodated at its current location as previously approved. OP

¹ 1 for each 800 square feet of gross floor area devoted to chancery use, or as determined by the Board of Zoning Adjustment (§ 2101.1)

does not anticipate that the proposed temporary chancery use would create an objectionable impact on traffic and parking in the neighborhood.

The applicant stated that events would not be held at the temporary location and the building would not be occupied by staff during non-working hours. Only three persons would be allowed 24-hour access to the building, including the Head of Chancery, Chief of Security and the Defense Attaché.

The proposed use would be compatible with the existing uses in the area and with the historic district. OP is satisfied that the existing building would not be altered to accommodate the temporary use and on the basis of the applicant's statements, would support the property's temporary use as a chancery for one year from the approved date of this request.

1001.6 The Board shall consider the federal interest, as determined by the Secretary of State.

The Department of State's letter indicates that a favorable decision on this application would serve the federal interest as outlined in its recommendation submitted as Exhibit 23.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

The District Department of Transportation (DDOT) would submit its report under separate cover.

VII. COMMUNITY COMMENTS

The ANC 2D's comments are submitted to the record (Exhibit 25).

Attachment: Location and Zoning Map



LOCATION and ZONING MAP

